IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 33470 of 2006(H)

OPMV.497/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PATHANAMTHITTA

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PETITIONER:

RAJANI.T.R., D/O.RAMAKRISHNA PILLAI,
THAZHA PALATHITTA, KAIPPUZHA, KULANADA P.O.,
PATHANAMTHITTA.

BY ADV. SRI.SUNIL JACOB JOSE

RESPONDENTS:

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1. **THE MANAGER,**
   UNITED INDIA INSURANCE COMPANY LTD.,
   BRANCH OFFICE, KAYAMKULAM.

2. **C.P.SOMASEKARAN PILLAI (DRIVER & OWNER),**
   S/O.RAGHAVAN PILLAI, CHERUPILAKKATTU HOUSE,
   THUMPAMON THAZHAM P.O., ELAVUMTHITTA,
   PATHANAMTHITTA DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR, J.

W.P.C.NO.33470 OF 2006 (H)

Dated this the 18 th day of December, 2006.

JUDGMENT

Petitioner is the injured claimant in O.P.(M.V)497/95. The petition was filed before Motor Accident Claims Tribunal, Pathanamthitta, through her guardian, father. Under Ext.P2, an award was passed. The case of petitioner was that by mistake, the name of petitioner was shown as Arun instead of Rajani, and finding out the mistake, after getting a copy of the award, petitioner filed I.A.1903/00, to amend the award by correcting the mistake. But it happened to be dismissed for default. Later, petitioner filed I.A.3044/04, an application to restore I.A.1903/00. This petition is filed under Article 227 of constitution of India for a direction for the Tribunal to correct the mistake in Ext.P2 order. It is for the Motor Accident Claims Tribunal to correct the mistake in Ext.P2 order.

Motor Accident Claims Tribunal, Pathanamthitta, is directed to pass appropriate order in Ext.P3, without delay and in any event within 30 days from the date of receipt of copy of this judgment.

M.SASIDHARAN NAMBIAR,
JUDGE.

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